

28. **(Currently Amended):** The radioligand as in claim 27 26 wherein the radiohalo moiety is selected from fluoride and iodide radionuclides.

29. **Cancelled.**

30. **(Currently Amended):** The radioligand as in claim 26 wherein the ~~alkyl moiety is represented by R', and wherein R' includes~~ cyclohexane radical ~~has~~ from 1 to 3 C<sub>1</sub> – C<sub>5</sub> normal or branched alkyl substituents.

31. **(Currently Amended):** The radioligand as in claim 26 wherein the alkyl moiety ~~includes is~~ ((1R,2S,5R)-2-isopropyl-5-methyl-cyclohexyl)-.

32. **(Previously Presented):** The radioligand as in claim 26 wherein the radioligand is 2-Isopropyl-5-methyl-cyclohexanecarboxylic acid (3-<sup>18</sup>F-fluoro-4-methoxy-phenyl)-amide.

33. **(Previously Presented):** The radioligand as in claim 26 wherein the radioligand is 2-Isopropyl-5-methyl-cyclohexanecarboxylic acid (2-acetyl-4-<sup>125</sup>I-iodo-phenyl)-amide.

34. – 35. **Cancelled.**

### **REMARKS**

#### ***Summary of Response filed March 16, 2006:***

In the Office Action of December 27, 2005, the examiner had allowed claims 11 – 16 as being free of the prior art of record. However, the examiner noted that two literature documents listed on sheet two of the Information Disclosure submitted December 19, 2005 (Tsavaler et al and McKemy et al) were not present during examination. In his March 16, 2006 response, applicant resubmitted these references for consideration.

The examiner had earlier made a restriction requirement and required an election of species. Applicant had elected with traverse radioligands wherein the alkyl moiety is a cyclohexane or a composition as set forth in independent claim 11. In the December 27, 2005 Office Action the examiner made the restriction requirement final, and applicant was requested to cancel the non-elected subject matter. Applicant understood this request to mean that his claims should be amended so as to be restricted to the cyclohexane radical. Accordingly, applicant amended claims 1, 5, 11, 13, 23. However, the examiner had stated that applicant's process or use claims 9, 10, 23 (and the dependent claim 25) should also be withdrawn from consideration. In doing so, the examiner stated on page 3 of the December 27, 2005 Office Action "Applicant asserted the instant invention does not disclose any process claims..." Applicant believed that the examiner had **misread** his earlier statement, and in the March 16, 2006 response he clarified his earlier remarks. In short, it is applicant's belief when his product claims are found allowable, then those process claims that depend from or otherwise included limitations of the patentable product should be allowed as a matter of right.

Accordingly, Applicant has **not** indicated that method claims 9, 10, 23 and 25 are withdrawn from consideration. The examiner is requested to acknowledge the allowability of claims 9, 10, 23 and 25, together with the other pending claims in this application.

***Present Corrections:***

When applicant submitted his listing of claims on March 16, 2006, he had mistakenly not included the **text** of withdrawn claims 17-22. The outstanding Notice of Non-Compliance ensued to which this paper is submitted in correction. In this correction, the text of all the non-cancelled claims is presented.

Accordingly, all the claims shown as previously pending or amended should be in a condition for allowance. Applicant will cancel those claims shown as withdrawn (17-22) when allowability of case with the remaining claims and acknowledgement of the two art documents resubmitted in the March 16, 2006 response has been received.

Applicant would appreciate an early indication of allowance; towards that end, applicant invites the examiner to phone him if any questions remain or if a telephone interview might expedite this case.

Respectfully submitted,

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